

# HIPAA&TRICARE

April 2003, No. 6

N e w s l e t t e r

Health Insurance Portability and Accountability Act



## Privacy Rule Compliance Date Almost Here

As the April 14<sup>th</sup>, 2003 compliance deadline for the final privacy rule approaches, Military Treatment Facility (MTF) personnel may be wondering, "What final steps must we take to ensure a smooth transition for Military

Health System (MHS) personnel as well as our beneficiaries?"

**First, Train, Train, Train!** It is imperative that the MHS workforce is well trained, as they must be knowledgeable concerning patient rights as well as how the privacy rule will affect all components of the MHS.

**Second, Spread the Word.** The MHS workforce must be able to effectively communicate and champion privacy rights and processes to our beneficiaries.

**Third, Make It Everyday Business.** MTFs must understand and formulate clearly defined processes in relation to complaints and inquiries.

### Workforce Training

Training of the MHS workforce on the protection of personal health information is not only a logical follow through for HIPAA privacy compliance but more importantly it is a requirement. The TRICARE Management Activity (TMA) has made the HIPAA Privacy Training tool available in an effort to equip MHS personnel with all of the information necessary to be well-informed with regard to the privacy rule and its implications for the MHS. The training and compliance tools are available on the privacy page of the TMA/HIPAA website. Individuals must contact their local MTF Privacy Officer prior to registering in order to get the QuickStart guide and other essential

information necessary for login. It is mandatory that all training be completed by April 14, 2003, and annually thereafter.

### Privacy Officer Identification

Marketing and communication is another vital part of achieving HIPAA Privacy compliance. We must take a proactive position in terms of communicating privacy related information and ensure that it is readily available to beneficiaries. The identification of the Privacy Officer at each facility must be publicly displayed so that beneficiaries have a point of contact when inquiring about their privacy rights. Privacy Officers and other staff must be prepared to address inquiries and resolve any issues at the treatment and PHI management levels of the MHS. Also, MTF's must post a link to the Notice of Privacy Practices on the MTF or clinic website in order to make this document available to both patients and staff. The notice is available on the privacy page of the TMA/HIPAA website.

### Complaints and Inquiries

Various levels of the MHS must have a means of receiving complaints and inquiries from beneficiaries. TMA has recommended the use of existing mechanisms for these purposes with assurance of timely referral to the Privacy Officer for HIPAA issues. *TMA cannot be the default for patient complaints.* Only issues related to the entire MHS or those outside the scope of local control should be directed to TMA.

With the compliance date less than two weeks away, we must all work hard to ensure that TMA meets compliance in terms of HIPAA Privacy. By working together to understand and effectively communicate the requirements of the privacy rule, TMA and the MHS will successfully be in compliance on April 14, 2003. ■

## Special Privacy Edition

Compliance Date Almost Here

◆ Workforce Training

◆ Privacy Officer ID

◆ Complaints and Inquiries

